An Act

Passed by the Great and General Court or Assembly of his Majesty's Province of the *Massachusetts-Bay* in *New-England*: Begun and Held at *Boston* upon Wednesday the twenty-eighth Day of *May* 1755, and continued by Prorogation to Wednesday the sixth Day of *August* following.

CHAP. VIII.

An Act for preventing the Exportation of Provisions, and War-like Stores out of this Province.

BE it enacted by the Lieutenant Governour, Council and House of Representatives, That no Warlike Stores or Provisions of any Kind whatsoever (Fish only excepted) shall be exported or carried out of any Port or Harbour in this Province in any Vessel whatever before the thirtieth Day of *September* next, saving only such Provisions or Warlike Stores as are necessary for the Defence of each respective Vessel outward bound, and victualling the Mariners on Board the same, during their intended Voyage, and whereof an Account in Writing shall be given by the Master of such Vessel on Oath to the Impost-Officer or his Deputy, and where there is no Impost-Officer or Deputy, then to a Justice of the Peace or the Town Clerk, on Pain of *One Thousand Pounds* Lawful Money to be forfeited and paid by the Master, and the like Sum by the Owner and Owners, Factor and Factors of each respective Vessel in which any Warlike Stores or Provisions shall be exported or carried out of any Port or Harbour in this Province; one Moiety thereof to the Use of this Government, and the other Moiety to him or them that shall inform or sue for the same. And such Masters, Owners and Factors respectively upon their being convicted of the Offence aforesaid at the Superiour Court of Judicature Court of Assize and General Goal Delivery, shall be further liable to stand in the Pillory, and have one of their Ears cut off.

Exportation of Warlike Stores and Provisions prohibited, saving.

Penalty &c. for Breach of this Act.

And be it further enacted, That if the Governour or Commander in Chief for the Time being shall see fit with the Advice and Consent of the Council to issue a Proclamation, prohibiting the Exportation of Provisions

Governor and Council may prolong the Time above limitted.

or Warlike Stores out of this Province for any Time after the said thirtieth Day of *September* next, not exceeding the thirtieth Day of *Novemmber* in this present Year, the Master, and Owner and Owners, Factor and Factors of any Vessel or Vessels on Board of which such Provisions or Warlike Stores shall be exported, contrary to such Proclamation, shall be respectively liable to the same Pains and Penalties as if the same had been exported before the said thirtieth Day of *September*, contrary to this Act.

Proviso for Land or Sea Forces.

Provided always, That it shall and may be lawful for any Provisions or Warlike Stores to be exported for the Service of his Majesty's Sea or Land Forces on Board any Vessel or Vessels licensed for that Purpose by the Governour or Commander in Chief for the Time being, with the Advice of the Council.

Proviso for Coasting Vessels &c.

Provided also, That it shall and may be lawful for Provisions and Warlike Stores to be laden and transported on Board any Coasting Vessel or Vessels, passing from one Port to another within this Province, Bond being first given in a *Thousand Pounds* Lawful Money, with sufficient Sureties to the Impost Officer or his Deputy, and where there is no Impost Officer or Deputy, then to a Justice of the Peace or the Town Clerk, to Re-land the same in some Town or District in this Province, and to return a Certificate thereof from the Deputy Impost Officer residing in the Town or District where they are so Re-landed, or from the Town or District Clerk of such Towns or Districts where no Deputy Impost Officer resides.

Proviso also in Towns where the Fishery is carried on.

Provided also, That in such Towns where the Fishery is carried on and out of which Vessels Coasting from one Port to another in this Province, and wherein neither the Impost Officer or his Deputy dwells, the Masters of such Fishing or Coasting Vessels may render the Account aforesaid on Oath to a Justice of the Peace or the Town Clerk of the respective Towns out of which they sail, who is hereby impowered to take the same: And the Account so taken and attested shall be by them transmitted to the Impost Officer, which shall be as effectual as tho' the same were taken by him or his Deputy.

Impost Officer his Fee.

And be it enacted, That the Impost Officer shall be allowed *one Shilling* for each Bond so taken; and every Justice and Town or District Clerk the like Sum for every such Certificate by them respectively transmitted as aforesaid, to be paid by the Master.

Penalty for holding Correspondence or Communication with Inhabitants of *Louisbourg*, &c.

Provided also, That it shall be unlawful for any of his Majesty's Subjects of this Province, and they are hereby strictly forbidden to hold any Correspondence or Communication with any Inhabitants of *Louisbourg*, or any other of the French Settlements in *North-America*, either by Land or Water; and if any Person or Persons belonging to this Province shall be so audacious as to go or send to *Louisbourg* or any other French Settlement in *North-America* during the Continuance of this Act, the Ship, Sloop or other Vessel employed with all her Tackle and Appurtenances and her Cargo, shall be forfeited, one Half to his Majesty for the Use of this Province, the other Half to him or them who shall inform and sue for the same in any of his Majesty's Courts within this Province proper to try the same; and be further liable if a Ship or Vessel, the Master to have one Ear cut off, and be publickly whipped thirty nine Lashes, and be rendered for ever incapable of holding any Place of Honour or Profit under this Government, and the Owner or Owners, and Factor or Factors of the Owner or Owners of such Ship or other Vessel shall forfeit and pay each *Five Hundred Pounds*, to be recovered and dispos'd of as above, and also be for ever disabled to hold any Place of Honour or Profit under this Government.

[*The foregoing Act was Published* August 16. 1755.]